

HOUSE BILL 197

P3

2lr0083

By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 25, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Public Safety and Correctional Services – Representation on**
3 **Boards, Commissions, and Councils**

4 FOR the purpose of altering the membership representing the Department of Public
5 Safety and Correctional Services on the Correctional Training Commission, the
6 Sexual Offender Advisory Board, and the State Alcohol and Drug Abuse
7 Council; and generally relating to representation of the Department of Public
8 Safety and Correctional Services on boards, commissions, and councils.

9 BY repealing and reenacting, without amendments,
10 Article – Correctional Services
11 Section 8–203
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Correctional Services
16 Section 8–204(a)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2011 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Public Safety
21 Section 1–401(a)
22 Annotated Code of Maryland
23 (2011 Replacement Volume)

24 BY repealing and reenacting, with amendments,
25 Article – Public Safety
26 Section 1–401(b)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2011 Replacement Volume)

3 BY repealing and reenacting, without amendments,
4 Article – State Government
5 Section 9–2801
6 Annotated Code of Maryland
7 (2009 Replacement Volume and 2011 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 9–2802(a)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Correctional Services**

16 8–203.

17 There is a Correctional Training Commission in the Department.

18 8–204.

19 (a) The Commission consists of the following 14 members:

20 (1) the Secretary of Public Safety and Correctional Services;

21 (2) the Secretary of Juvenile Services;

22 (3) [the Director of the Division of Parole and Probation] A
23 **REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC SAFETY AND**
24 **CORRECTIONAL SERVICES, DESIGNATED BY THE SECRETARY OF PUBLIC**
25 **SAFETY AND CORRECTIONAL SERVICES;**

26 (4) [the Commissioner of Correction] A **DEPUTY SECRETARY OF**
27 **PUBLIC SAFETY AND CORRECTIONAL SERVICES;**

28 (5) the president of the Maryland Correctional Administrators
29 Association;

30 (6) the president of the Maryland Sheriffs Association;

31 (7) the president of the Maryland Criminal Justice Association;

1 (8) a representative of the Federal Bureau of Prisons, designated by
2 its Director;

3 (9) the Attorney General of the State;

4 (10) the president of a university or college in the State with a
5 correctional education curriculum, appointed by the Maryland Higher Education
6 Commission; and

7 (11) four correctional officers or officials of the State appointed under
8 subsection (b) of this section.

9 **Article – Public Safety**

10 1–401.

11 (a) There is a Sexual Offender Advisory Board.

12 (b) The Board consists of the following members:

13 (1) the Secretary of Public Safety and Correctional Services, or the
14 Secretary's designee;

15 (2) the Secretary of Health and Mental Hygiene, or the Secretary's
16 designee;

17 (3) the Secretary of Juvenile Services, or the Secretary's designee;

18 (4) [the Director of the Division of Parole and Probation, or the
19 Director's designee] **A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC
20 SAFETY AND CORRECTIONAL SERVICES, DESIGNATED BY THE SECRETARY OF
21 PUBLIC SAFETY AND CORRECTIONAL SERVICES;**

22 (5) the Chairman of the Maryland Parole Commission, or the
23 Chairman's designee;

24 (6) the Director of the Maryland Criminal Justice Information System
25 Central Repository, or the Director's designee;

26 (7) the Executive Director of the Mental Hygiene Administration of
27 the Department of Health and Mental Hygiene, or the Executive Director's designee;

28 (8) the Secretary of State Police, or the Secretary's designee;

29 (9) the Executive Director of the Governor's Office of Crime Control
30 and Prevention, or the Executive Director's designee;

1 (10) the following members, appointed by the Governor:

2 (i) a representative from a victims' advocacy organization or
3 victim service provider with recognized expertise in sexual abuse and victimization;

4 (ii) a licensed mental health professional with recognized
5 expertise in the treatment of sexual offenders;

6 (iii) a State's Attorney with expertise in the prosecution of sexual
7 and child abuse crimes;

8 (iv) an assistant public defender with expertise in the defense of
9 sexual and child abuse crimes;

10 (v) a representative of a local law enforcement unit with
11 expertise in the investigation of sexual and child abuse crimes;

12 (vi) a representative from a child advocacy center with
13 recognized expertise in sexual abuse and victimization; and

14 (vii) two citizen members.

15 **Article – State Government**

16 9–2801.

17 There is a State Drug and Alcohol Abuse Council in the Office of the Governor.

18 9–2802.

19 (a) (1) The Council consists of the following voting members:

20 (i) one member of the Senate of Maryland, appointed by the
21 President of the Senate;

22 (ii) one member of the Maryland House of Delegates, appointed
23 by the Speaker of the House;

24 (iii) the Secretary of Health and Mental Hygiene, or the
25 Secretary's designee;

26 (iv) the Secretary of Public Safety and Correctional Services, or
27 the Secretary's designee;

28 (v) the Secretary of Juvenile Services, or the Secretary's
29 designee;

- 1 (vi) the Secretary of Human Resources, or the Secretary's
2 designee;
- 3 (vii) the Secretary of Budget and Management, or the Secretary's
4 designee;
- 5 (viii) the Secretary of Housing and Community Development, or
6 the Secretary's designee;
- 7 (ix) the Secretary of Transportation, or the Secretary's designee;
- 8 (x) the State Superintendent of Schools, or the Superintendent's
9 designee;
- 10 (xi) the Executive Director of the Governor's Office for Children,
11 or the Executive Director's designee;
- 12 (xii) the Executive Director of the Governor's Office of Crime
13 Control and Prevention, or the Executive Director's designee;
- 14 (xiii) the Public Defender of Maryland, or the Public Defender's
15 designee;
- 16 (xiv) two representatives of the Maryland Judiciary, a District
17 Court judge and a circuit court judge, appointed by the Governor after nomination of
18 the Chief Judge of the Court of Appeals; and
- 19 (xv) eight members appointed by the Governor who are
20 representative to the extent practicable of:
- 21 1. geographic regions of the State;
- 22 2. at-risk populations;
- 23 3. knowledgeable professionals;
- 24 4. current or former consumers of substance abuse
25 prevention, intervention, and treatment services;
- 26 5. family members of substance abusers;
- 27 6. prevention and treatment providers; and
- 28 7. individuals who are active on substance abuse issues
29 in their communities.

1 (2) The Council consists of the following nonvoting members:

2 (i) the Director of the Alcohol and Drug Abuse Administration
3 of the Department of Health and Mental Hygiene;

4 (ii) the Director of Mental Hygiene of the Department of Health
5 and Mental Hygiene;

6 (iii) [the Director of the Division of Parole and Probation] **A**
7 **REPRESENTATIVE** of the Department of Public Safety and Correctional Services,
8 **DESIGNATED BY THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL**
9 **SERVICES;**

10 (iv) [the Assistant] **A DEPUTY** Secretary [for Treatment
11 Services] of the Department of Public Safety and Correctional Services; and

12 (v) the President of the Maryland Addiction Directors' Council.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2012.